

May 5, 2008

TO: Chief School Administrator
Charter School Lead Person
State Agency Title I, Part D Project Directors

FROM: Anne Corwell, Director
Office of Grants Management

SUBJECT: FY 2009 *NCLB* Application – Planning Information

The New Jersey Department of Education (NJDOE) has begun the preparation process for development of the Fiscal Year (FY) 2009 *No Child Left Behind (NCLB)* Consolidated Formula Subgrant Application and allocations. To better accommodate the planning needs of districts and schools, the advance time frame for the onset of this process will occur in May.

To this end, the Office of Grants Management (OGM) anticipates the release of the FY 2009 *NCLB* allocation notices to occur during the week of May 19. In our continuing efforts to further streamline and enhance the application process, there are several items to note.

The FY 2009 *NCLB* consolidated application will remain fully electronic. The Program Plan section has been revised so that this program information will be completed via a Program Plan subtab, which will be located under a Program Specific tab, per title. The Title I Unified Plans will continue to be uploaded to the application through the EWEG system for Title I schools operating approved schoolwide programs (SW), schools newly applying for schoolwide status, schools in need of improvement (SINIs), and/or districts in need of improvement (DINIs). The Title I, Part D Subpart 1 or Subpart 2 plan will be uploaded also through EWEG. New to the application is a section for Title I SIA Part G funds. Another new feature is the ability for districts to establish their consortium information directly through the EWEG system, as opposed to submitting consortium designation forms to the OGM.

Access to the EWEG system will remain through the New Jersey Homeroom Page at <http://homeroom.state.nj.us/>. Districts will submit completed applications as follows:

- The application will be submitted online through the EWEG system.
- If applicable, the Title I Unified Plan, and Title I, Part D Subpart 1 or Subpart 2 Plan will be uploaded as attachments to the application.

Chief School Administrator
Charter School Lead Persons
State Agency Title I, Part D Project Directors
FY 2009 *NCLB* Planning Information
Page 2

- For nonpublic schools, copies of the signed Affirmation of Consultation forms must be completed and kept on file in the districts to be presented to the New Jersey Department of Education (NJDOE) upon request. As in prior years, the Nonpublic School Participation Refusal forms must be submitted to the Office of Grants Management (OGM) as specified in the *NCLB* Reference Manual.

In an effort to assist districts in developing well considered implementation plans, which support the Consolidated Formula Subgrant, program specific planning material is attached. This information should be taken into consideration as districts begin to plan for the implementation of the *NCLB* provisions, as well as the efficient management and timely expenditures of these federal appropriations. Updated *NCLB* Budget Detail Excel planning worksheets, needs assessment and planning forms, the Title I Unified Plan template, the Title I Part D Subpart 1 and Subpart 2 plan templates, nonpublic school documentation forms and other pertinent worksheets and planning documents are now available at the following NJDOE Web site located at <http://www.nj.gov/njded/grants/entitlement/nclb/>. The *NCLB* Reference Manual is updated continually. The most recent version will be posted on the above NJDOE Web site in May.

The NJDOE anticipates that the FY 2009 *NCLB* Consolidated Formula Subgrant Application will be available in July 2008. In its ongoing efforts to work more directly with districts on the submission of applications, the OGM will conduct technical assistance work sessions for the FY 2009 *NCLB* consolidated application on a county-wide basis beginning in July 2008. Additional information regarding these specific training dates and the FY 2009 application will be provided at a later date.

The NJDOE congratulates you on your ongoing efforts to effectively coordinate *NCLB* programs with other federal and state programs as you strive to improve the learning and achievement of all New Jersey students.

Thank you for your continued cooperation as we work in collaboration to develop effective FY 2009 *NCLB* applications.

AC/AS: K:\Entitlement\NCLB 2009\NCLB09.Planning Letter.doc

Attachment

c: Lucille E. Davy
Senior Staff
NCLB Directors
County Superintendents
NCLB Advisory Council
LEE Group
Garden State Coalition
New Jersey Public Charter Schools Association
Advisory Committee for Nonpublic Schools
Andrea Sunderville

New Jersey Department of Education
No Child Left Behind Act of 2001
FY 2009 Consolidated Formula Subgrant

Budget Planning Information:

For budgeting purposes, calculations should be based on the following percentages of the district's FY 2008 allocation:

- | | |
|------------------------|---|
| • Title I | 85% (Newly ineligible districts have been notified) |
| • Title II-A | 80% |
| • Title II-D | 95% |
| • Title III | 85% |
| • Title III, Immigrant | 85% |
| • Title IV | 85% |
| • Title V | 0% (Title V is not funded for FY 2009) |

Program Planning Information Specific to Individual Titles:

Title I –

- Comprehensive Needs Assessment and Planning –

Under the federal *No Child Left Behind (NCLB)* legislation, Title I districts and schools are required to conduct a comprehensive needs assessment to identify student and staff needs and to determine appropriate programs, services and activities. This process includes assessing the effectiveness of programs that were implemented in the prior year and identifying scientifically based research programs and strategies to be used. Effectiveness is measured by student academic performance. This process needs to begin now for program implementation in the coming school year.

A critical component of the comprehensive needs assessment process is the collection of data. These data may include survey results or focus group comments, performance analysis and observation, and discussion group results. When completing the needs assessment and prioritizing problems, the district and schools should gather disaggregated assessment data and review AYP results, as applicable.

Programs, services and activities that are determined as a result of the needs assessment process culminate in a program plan. After completing the comprehensive needs assessment, Title I schools in need of improvement, and/or schools operating an approved Title I schoolwide program must begin the process of preparing or revising their Title I Unified Plan. Schools that currently operate a Title I schoolwide program must update their plan on an annual basis. The process for submitting the plan is attached to this letter (see Attachment A) and posted on the Web site <http://www.nj.gov/njded/grants/entitlement/nclb/>. The USDE guidance on “Designing Schoolwide Programs” is a resource that describes a comprehensive planning process and can be found at <http://www.ed.gov/policy/elsec/guid/designingswpguid.doc>.

The Title I Unified Plan is developed with input from all stakeholders. Schools that need to complete the plan should begin setting the agenda for their respective planning committees. Meetings should focus on the development of Title I programs, setting targets for student

New Jersey Department of Education
No Child Left Behind Act of 2001
FY 2009 Consolidated Formula Subgrant

achievement and identifying methods to measure progress. The committee should incorporate CAPA recommendations into the Title I Unified Plan, if applicable. A template of the Title I Unified Plan is available with the required school level forms on the NJDOE Web site at <http://www.nj.gov/njded/grants/entitlement/nclb/>. Districts are required to annually upload the Title I Unified Plan for its schools to EWEG.

Prior to developing the FY 2009 *NCLB* Consolidated Application, districts that serve eligible nonpublic school children and local Neglected & Delinquent facilities, must begin the consultation process. Before decisions are made that impact the participation of students in these populations, the district must consult with the appropriate officials to ensure that the programs and services offered are adequate to meet the needs of these students. Nonpublic school documentation forms, updated income eligibility guidelines and sample letters and surveys may be found on the NJDOE Web site at <http://www.nj.gov/njded/grants/entitlement/nclb/>.

- Resource Allocation –

In August, districts allocate Title I funds to schools based on poverty using the EWEG system. Schools may or may not be eligible for funding and the funding may change from the prior year. Thus, the budget projections developed by the district for the April budget vote may need adjustment. Districts then must adjust their school budgets to reflect the actual Title I funds specified in EWEG. LEAs are not permitted to reduce the amount of state and local funds to Title I schools during this adjustment process. Failure to budget and expend the accurate Title I amounts in eligible schools may be an audit exception and such funds are subject to a corrective action and possible recovery to the state.

Programs selected for implementation at the school and district level depend on the resources. In Title I districts and schools, these Title I resources are used to fund additional programs that would not have been available using state and local funds. The federal supplement not supplant provision requires that federal funds be used to augment the regular educational program. These Title I funds must not be used to substitute for funds or services that would otherwise be provided. The statute requires that districts use federal funds received under Title I only to supplement the amount of funds available from nonfederal sources for the education of students participating in Title I services. The district cannot use these federal funds to supplant funds that would, in the absence of Title I funds, be spent on Title I students [Title I, Part A, Section 1120A (b)].

- Program Implementation –

Title I districts must develop and mail the various parental notifications prior to the beginning of the school year, as appropriate (e.g., notification of school in need of improvement status, school choice, supplemental educational services). In addition, the district must develop and distribute the annual Parents' Right-to-Know letter regarding highly qualified teacher (HQT) requirements. The district is encouraged to view the Title I Program Managers Training module with specific information on the responsibilities of managing the Title I grant on the NJDOE Web site <http://www.nj.gov/education/title1/tech/managers/>

New Jersey Department of Education
No Child Left Behind Act of 2001
FY 2009 Consolidated Formula Subgrant

Title II Part A –

- Section 2141(c): If the LEA does not make its annual measurable objective of 100% highly qualified teachers and does not make AYP (adequate yearly progress) for three consecutive years, the SEA and LEA must enter into an *agreement* on the use of Title II Part A funds.
- Develop and distribute the annual Parent's Right-to-Know letter regarding highly qualified teacher (HQT) requirements.
- Determine whether highly qualified and experienced teachers are equitably distributed in schools across the district. If there are inequities, the LEA must implement strategies to achieve an equitable distribution of both highly qualified and experienced teachers.

Title II Part D –

- It is expected that *NCLB* Title II-D formula funding allocations for FY 2009 will remain at FY 2008 levels or increase slightly.
- Assess the professional development needs of all staff regarding the level of educational technology implementation in the classroom.
- Assess the professional development needs of school principals regarding their technology literacy skills.
- Schedule and conduct consultations with all nonpublic schools.
- Collect student data on technological proficiency as related to the 8.1 Computer and Information Literacy Standards.
- *Please Note:* Further technical assistance will be provided to school districts to answer questions and provide resources to assist with the integration of technology into the curriculum.

Title III –

Guidelines for Establishing a Title III Consortium

The US Department of Education has recently provided guidance regarding Title III consortia and the responsibilities of the district members of such consortia. The major provisions of this guidance are as follows:

- 1) Districts that enter into a consortium must develop a Memorandum of Understanding (sample provided on the NJDOE Web site) or alternative arrangement that outlines how the consortium will meet Title III requirements, including:
 - Title III Annual Measurable Achievement Objectives (AMAOs);
 - Parental notification to parents of participating LEP students; and
 - Participation in an improvement plan if the consortium as a whole, or individual LEAs within the consortium, fail to meet Title III AMAOs for two consecutive years.

New Jersey Department of Education
No Child Left Behind Act of 2001
FY 2009 Consolidated Formula Subgrant

- 2) The fiscal agent is responsible for ensuring that consortium members fulfill their fiscal and programmatic responsibilities as subgrantees under Title III.
- 3) In accordance with USDE regulations, AMAOs are required to be calculated and reported as follows:
- The consortium functions as one unit for determining the rate of students' progress in learning English and attaining proficiency (exiting programs);
 - Each individual district is measured for meeting annual yearly progress (AYP) for the LEP subgroup and is reported separately;
 - When any district in the consortium fails to meet AYP for the LEP subgroup, that district is responsible for notifying parents, and developing an improvement plan if necessary. When the consortium fails to meet the progress or proficiency objective, the consortium may respond as a unit or as individual districts. This determination must be outlined in the memorandum of understanding.

Title III Immigrant –

- Title III Immigrant funds may be available to a district even if the district has less than a \$10,000 Title III allocation. This funding is contingent upon the New Jersey Department of Education (NJDOE) receiving the federal *No Child Left Behind* (NCLB) Title III Immigrant funds.

Title IV –

To effectively plan for achievement of the purposes of Title IV, Part A and to fulfill the requirements under the Principles of Effectiveness, the following activities *currently* should be taking place in preparation for the allocation notice and receipt of the *NCLB* application. Technical assistance in fulfilling the Title IV, Part A requirements identified below, as well as all other Title IV, Part A requirements, is available from the NJDOE-funded initiative titled the Rutgers Safe and Drug-Free Schools and Communities Project by calling (732) 445-6173 or by e-mailing blerman@rci.rutgers.edu.

- Consultation – *Ongoing* consultation is required with parents, as well as school and community representatives and organizations with relevant and demonstrated expertise in drug and violence prevention activities, in addition to consultation with these representatives in the development of the application. This includes consultation with nonpublic schools that will receive services under Title IV-A. Parents also are required to be involved in the ongoing administration of the funded programs.

New Jersey Department of Education
No Child Left Behind Act of 2001
FY 2009 Consolidated Formula Subgrant

- Conduct and Analyze the Needs Assessment – The LEA is required to conduct *ongoing* local assessment or evaluation activities designed to assess objective data on the incidence of violence and illegal alcohol, tobacco and other drug (ATOD) use in the public and nonpublic schools to be served, including an objective analysis of the current conditions and consequences regarding violence and illegal ATOD use, delinquency and serious discipline problems among the students who attend the schools served. The assessment also must include an analysis of data on the prevalence of risk factors, including high or increasing rates of child abuse and domestic violence, protective factors or other variables in schools and communities that have been identified through scientifically based research.
- Program Evaluation – All programs, services and activities must undergo a *periodic* evaluation to assess their progress toward reducing violence and illegal ATOD use based on the established performance measures. The results must be used to refine, improve and strengthen the programs, services and activities and to refine the performance measures.
- Identify Performance Measures – Based on the findings from the Needs Assessment and Program Evaluation, identify priority problems and refined or new performance measurements to reduce the problem or improve the conditions contributing to the problems.
- Identify Scientifically Based Programs – Examine and select programs, services or activities to address the priority problems and achieve the performance measures. A list of eligible, evidence-based programs can be found at the following website: <http://www.colorado.edu/cspv/blueprints/matrix/overview.html>. The Web site has a search engine to help match local needs with programs. The LEA may plan to request a waiver to the requirement that a program, service or activity be research-based; the waiver request must provide evidence that the program, service or activity has a substantial likelihood of success in achieving the performance measures.

Title V –

Please Note – Although Title V Part A is not funded for FY 2009, recent guidance from the U. S. Department of Education (USDE) has indicated that LEAs may continue to exercise the transferability authority under Section 6123(b) of *NCLB* and transfer FY 2009 funds received from Title II Part A, Title II Part D and Title IV to Title V Part A. The LEA may transfer no more than 50% of its funds unless identified for improvement or corrective action, in which case the limitation is 30%. Please refer to the *NCLB* Reference Manual for additional information regarding transferability.

If the LEA has unexpended FY 2008 Title V Part A funds, the funds may be carried over and used for allowable activities in FY 2009. LEAs may use these funds in one or more of the twenty-seven (27) allowable areas, which are described at <http://www.ed.gov/policy/elsec/leg/esea02/pg60.html#sec5131>.

New Jersey Department of Education
No Child Left Behind Act of 2001
FY 2009 Consolidated Formula Subgrant

If applicable, use of the Title V Part A funds requires:

- Meaningful consultation with nonpublic schools;
- Needs assessment for the district that includes students and teachers in both public and nonpublic schools; and
- Programs, that when implemented, meet the following requirements in Section 5131(b):
 - Tied to promoting challenging academic achievement;
 - Used to improve student academic achievement; and
 - Part of an overall education reform strategy

Consultation with Nonpublic School Officials:

LEAs are required to conduct timely and meaningful consultations with nonpublic school officials regarding the use of Title V Part A funds **BEFORE** any decision is made that could affect the ability of the nonpublic school students, teachers, and other educational personnel to receive benefits under *NCLB* and to provide equitable services to teachers and students in nonpublic schools choosing to participate in these programs. Ongoing, timely and meaningful consultations must include discussions on areas such as:

- The way in which the needs of the students and teachers will be identified;
- The type of services to be offered;
- How, where, and by whom the services will be provided;
- A thorough analysis of third-party providers;
- The way in which services will be assessed and the evaluation of results will be used to improve services;
- The amount of funds available for services;
- The size and scope of the services to be provided; and
- How and when decisions about the delivery of services will be made.

Please see the NCLB Reference Manual, Section V: Nonpublic Schools, for additional information. Nonpublic school documentation forms, updated income eligibility guidelines and sample letters and surveys may be found on the following NJDOE Web site at <http://www.nj.gov/njded/grants/entitlement/nclb/>.

Process for Submitting the Title I Unified Plan 2008-2009

Who Must Submit

The Title I Unified Plan must be completed and submitted annually to the NJDOE for Title I schools operating an approved schoolwide program (SW), schools newly applying for schoolwide status, schools in need of improvement (SINIs), and/or districts in need of improvement (DINIs).

- Submission of all Title I Unified Plans (or revisions to existing plans) is required for the Title I portion of the 2008-2009 NCLB Consolidated Application to be considered in substantially approvable form.
- Plans must be uploaded via EWEG. Each plan file must be named using the school's CDS code and submission date.
- Plans must be amended for schools that receive an SIA Part A grant and an SIA Part G grant.

Title I Funding

- The NJDOE will verify receipt of the plans before Title I, Part A funds are released to districts.
- Deficiencies noted at subsequent monitoring and/or review of the plans may be cause for recovery of funds.

Submission Dates

Submission dates vary depending on the status of the school—whether the school has a previous plan on record or is newly designated as SW or SINI.

1. Title I Unified Plans due at the time of the NCLB Consolidated Application submission include those schools that meet the following criteria:
 - Title I SW schools*
 - Title I SINIs that submitted a Unified Plan in the previous year**
2. Title I Unified Plans due within 90 days of SINI notification:
 - Title I schools *newly* designated as SINIs (did not submit a plan in the previous year)
3. Revisions to Title I Unified Plans due within 90 days of SINI notification:
 - Title I SW schools that submitted a Unified Plan and are newly designated as SINIs must incorporate additional district plan elements of the Unified Plan that pertain to SINIs.
4. Revisions to Title I Unified Plans due within 90 days of district in need of improvement (DINI) notification:
 - Title I DINIs must complete or revise additional elements of the Unified Plan that pertain to DINIs.

*Schools newly applying for SW status must also submit the *Application to Operate a Title I Schoolwide Program* to the NJDOE Office of Student Achievement and Accountability.

**Schools going into restructuring must also submit a *School Restructuring Plan* to the NJDOE Office of Student Achievement and Accountability.